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11 [Additional moving parties and counsel listed
on signature pages]

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 (SAN FRANCISCO DIVISION)

15
16 IN RE: TFT-LCD (FLAT PANEL)
17 ANTITRUST LITIGATION

No. 3:07-md-1827 SI
MDL No. 1827

18 This Document Relates to Individual Case
19 No.10-cv-4572 SI

20 BEST BUY CO., INC., et al.,

21 Plaintiffs,

22 v.

23 AU OPTRONICS CORPORATION, et al.,

24 Defendants.
25

STIPULATION AND [PROPOSED]
ORDER WITHDRAWING JOINT
MOTION TO DISMISS AND MOTION
FOR JUDGMENT ON THE PLEADINGS
AND EXTENDING TIME TO RESPOND
TO AMENDED COMPLAINT

Date: July 15, 2011
Time: 9:00 a.m.
Judge: Hon. Susan Illston

1 Plaintiffs and Defendants, through the undersigned counsel, request that the Court enter
 2 the following order to withdraw certain Defendants' Motion to Dismiss and Defendant Chunghwa
 3 Picture Tubes, Ltd.'s Motion for Judgment on the Pleadings, and extend Defendants' time to
 4 respond to the amended complaint that Plaintiffs will file on or before June 7, 2011.
 5

6 WHEREAS certain Defendants filed a joint motion to dismiss the Complaint in this action
 7 on May 10, 2011, dkt. no. 2739, and Defendant Chunghwa Picture Tubes Ltd. filed a motion for
 8 judgment on the pleadings on May 10, 2011, dkt. no. 2743 (the "Motions");

9 WHEREAS the hearing on the Motions was originally scheduled for June 17, 2011, and is
 10 currently scheduled for July 15, 2011 per the Clerk's Notice dated May 24, 2011, dkt. no. 2806;

11 WHEREAS Plaintiffs, although they oppose the Motions, will exercise their right under
 12 Federal Rule of Civil Procedure 15(a) to file a First Amended Complaint in lieu of filing an
 13 opposition to the Motions;

14 WHEREAS the parties agree that the briefing dates and hearing associated with the
 15 Motions should be withdrawn and that Plaintiffs' will file their First Amended Complaint after
 16 the existing deadline to file their opposition to the Motions;

17 WHEREAS the parties further agree that Defendants may have 30 days to respond to the
 18 First Amended Complaint from the date that it is filed;

19 THEREFORE, Plaintiffs, by their counsel, and Defendants, by the undersigned counsel,
 20 stipulate and agree as follows:

- 21 1. Plaintiffs shall file a First Amended Complaint on or before June 7, 2011.
- 22 2. The Motions shall be withdrawn and the briefing schedule and hearing date
 stricken.
- 23 3. Defendants shall have 30 days from the date of the filing of the First Amended
 24 Complaint to answer or otherwise respond to the First Amended Complaint.

25 **IT IS SO STIPULATED.**

1 Dated: May 25, 2011

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18 AND TATUNG COMPANY OF
19 AMERICA, INC.

20 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the
21 filing of this document has been obtained from the above-referenced counsel.

22 Having considered the foregoing stipulation, and good cause appearing,
23

24 **IT IS SO ORDERED.**

25 5/26/11



26
27 Judge Susan Illston
28

1 **CERTIFICATE OF SERVICE BY E-MAIL**
2 (Federal Rules of Civil Procedure Rule 5(b))

3 I declare that I am employed with the law firm of K&L Gates, LLP, whose address is
4 925 4th Avenue, Suite 2900, Seattle, Washington 98104-1158. I am not a party to the case,
and I am over the age of eighteen years.

5 I further declare that on May 26th, 2011, I served a copy of:

6 **STIPULATION AND [PROPOSED] ORDER WITHDRAWING JOINT MOTION TO**
7 **DISMISS AND MOTION FOR JUDGMENT ON THE PLEADINGS AND**
8 **EXTENDING TIME TO RESPOND TO AMENDED COMPLAINT**

9 by electronically mailing a true and correct copy to all parties of record through the CM-ECF
system in accordance with Federal Rules of Civil Procedure Rule 5(b):

10 I declare under penalty of perjury that the above is true and correct.

11 Executed at Seattle, Washington, this 26th day of May, 2011.

12 _____
13 _____
14 Rhonda Hinman
15 (Signature)